रजिस्ट्री सं० डी० 221 REGISTERED No. D. 221

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 3—उपखण्ड (i)
PART II—Section 3—Sub-Section (i)
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 243] नई दिल्ली, शुक्रवार, दिसम्बर 9, 1966/अग्रहायण 18, 1888
No. 243] NEW DELHI, FRIDAY, DECEMBER 9, 1966/AGRAHAYANA 18, 1888

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 9th December 1966

G.S.R. 1887.—In exercise of the powers conferred by section 87 of the Punjab Reorganisation Act, 1966 (31 of 1966), the Central Government hereby extends to the Union territory of Chandigarh, the United Provinces Requisition of Motor Vehicles (Emergency Powers) Act, 1947 (U.P. Act No. XXVII of 1947), as in force in the State of Uttar Pradesh on the date of this notification, subject to the following modifications, namely :—

Modifications

1. Throughout the Act, except as otherwise provided, for the words "State Government", the word "Administrator" shall be substituted and there shall also be made in any sentence where these words occur, such changes as the rules of grammer may require.

2. *Section* 1.

(a) in sub-section (2), for the words "Uttar Pradesh", the words "the Union territory of Chandigarh" shall be substituted.

(b) for sub-section (3), the following sub-section shall be substituted, namely :—

"(3) It shall come into force at once."

3. *Section* 2.

(a) Clause (a) shall be re-lettered as clause (aa) and before that clause as so re-lettered, the following clause shall be inserted, namely :—

"(a) 'Administrator' means the Administrator of the Union territory of Chandigarh appointed by the President under article 239 of the Constitution;";

(b) Clause (d) shall be omitted.

4. *Section* 4A.—In clause (1), for the words "State Government", the word "Government" shall be substituted.

5. *Section* 14 shall be omitted.

ANNEXURE

THE UNITED PROVINCES REQUISITION OF MOTOR VEHICLES (EMERGENCY POWERS) ACT, 1947 AS EXTENDED TO THE UNION TERRITORY OF CHANDIGARH

(U.P. ACT NO. XXVII OF 1947)

An Act to provide for the requisition of Motor Vehicles.

Whereas it is expedient to provide for the requisition of motor vehicles:

It is hereby enacted as follows :

1. **Short title, extent and commencement.**—(1) This Act may be called the United Provinces Requisition of Motor Vehicles (Emergency Powers) Act, 1947.

(2) It extends to the whole of the Union territory of Chandigarh.

(3) It shall come into force at once.

2. **Definitions.**—It this Act, unless there is anything repugnant in the subject or context—

(a) "Administrator" means the Administrator of the Union territory of Chandigarh appointed by the President under article 239 of the Constitution;

(aa) "Motor Vehicle" means any mechanically propelled vehicle adapted for use upon roads whether power or propulsion is transmitted thereto from an external or internal source;

(b) "Owner" includes where the person in possession is a minor, the guardian of such minor, and in relation to a motor vehicle which is the subject of a hire-purchase agreement, the person in possession of the vehicle under that agreement;

(c) "Prescribed" means prescribed by the rules made under this Act;

* * * * *

3. **Requisition of motor vehicles.**—(1) If in the opinion of the Administrator it is necessary or expedient to do so for purposes essential to the life of the community or for maintaining public order or for facility of public transport, he may pass an order in writing requisitioning any motor vehicle and may make such orders as may appear to him to be necessary or expedient in connection with such requisition; a copy of the order shall be served on the owner of the motor vehicle, or where the owner is not readily traceable or the ownership is in dispute, by publication thereof in the official Gazette.

(2) If the owner of the motor vehicle does not, after service of the order in the manner provided in sub-section (1), place the motor vehicle in possession of the authority mentioned therein, such authority may seize the motor vehicle from any person, who may for the time being be in possession thereof.

(3) Where the Administrator has requisitioned any motor vehicle he may use or deal with it in such manner as may appear to him to be expedient.

4. **Compensation.**—Whenever in pursuance of section 3 the Administrator requisitions any motor vehicle, the owner thereof shall be paid such compensation at the rate, as may be applicable provided in the Schedule, from the date the vehicle is placed in the possession of or seized by the authority mentioned in the order under sub-section (1) of the said section up to the date of its derequisition.

4A. **Charges on account of fuel, lubricant, etc.**—Where a vehicle has been requisitioned under section 3—

(1) the charges on account of—

(a) the road tax arising out of the use of the vehicle on account of such temporary requisition;

(b) fuel and lubricant required for the propulsion of such vehicle; and

(c) repairs of the damage caused to the vehicle in the event of an accident during the period of requisition in a case where the vehicle is not covered by a comprehensive insurance policy,

shall be paid for by the Government; and

(2) the charges on account of—

(a) pay of the driver and a cleaner or a conductor, and

(b) the usual repairs for the purposes of obtaining the certificate of fitness for keeping the vehicle roadworthy,

shall be paid for by the owner of the vehicle:

Provided that no charge for a driver or a cleaner shall be paid as aforesaid in the case of a motor cycle:

Provided further that where the owner of a vehicle refuses or fails to pay the charges as aforesaid the Administrator may deduct them from the amount of compensation payable to the owner under section 4.

5. **Orders to furnish information and not to remove the motor vehicle.**—The Administrator may, with a view to requisitioning any motor vehicle under section 3 or determining the compensation payable under section 4, by order—

(a) require any person to furnish to such authority as may be specified in the order such information in his possession relating to the motor vehicle as may be specified;

(b) direct that the owner or the person in possession of the motor vehicle shall not without the permission of the Administrator dispose of it or remove it till the expiry of such period as may be specified in the order from the premises in which it is kept.

6. **Entry and Inspection.**—Any person authorized in this behalf by the Administrator may enter any premises and inspect any motor vehicle for the purpose of determining whether such motor vehicle plying for hire should be requisitioned.

7. **Preventing removal of parts, etc.**—No owner of any motor vehicle or any person in possession thereof shall, after service of the order under section 3 remove any part, tyre, tube or any other accessory or in any way injure the motor vehicle so as to reduce the usefulness of such vehicle.

8. **Compliance of directions.**—The Administrator may require any person or persons owning or having in his possession or under his control, any motor vehicle, or class of motor vehicles to comply with such directions as he may give in writing.

9. **Delegation of powers.**—The Administrator may by order direct that any power or duty which is conferred or imposed on the Administrator shall in such circumstances and under such conditions, if any, as may be specified in that direction, be exercised or discharged by any officer or authority subordinate to him.

10. **Protection.**—(1) No suit, prosecution or other legal proceeding shall lie against any person for anything in good faith done or intended to be done in pursuance of this Act, or any rules made thereunder or any order issued under any such rule.

(2) No suit or other legal proceeding shall lie against the Administrator for any damage caused or likely to be caused by anything in good faith done or intended to be done in pursuance of this Act or any rules made thereunder or any order issued under any such rules.

11. **Saving.**—(1) No order made in exercise of any power conferred by or under this Act shall be called in question in any court.

(2) Where any order purports to have been made or signed by any authority in exercise of any power conferred by or under this Act, it shall within the meaning of the Indian Evidence Act, 1872 (1 of 1872), be presumed that such order was so made by that authority.

12. **Penalty.**—If any person contravenes any order made under this Act, he shall be punishable with imprisonment for a term which may extend to six months or fine not exceeding one thousand rupees or with both.

13. **Power to arrest.**—Ay police officer not below the rank of a sub-inspector may arrest without warrant any person who is reasonably suspected of having committed an offence punishable under this Act.

* * * * *

15. **Rule making power.**—The Administrator may make rules to give effect to the purposes of this Act.

SCHEDULE

A—*Motor Vehicles using Petrol Fuel*

I. *Buses*	*Rate*
1. 25-seater to 30-seater (152″ — 161″ wheel base)	Rs. 20 per day
2. 29-seater to 32-seater (174″ wheel base)	Rs. 20 per day
3. 34-seater and above (194″ wheel base)	Rs. 30 per day
II. *Trucks*	*Rate*
4. 3-ton trucks	Rs. 20 per day
5. 5-ton trucks	Rs. 20 per day
III. *Cars, Jeeps, Land-Rovers, Pick-ups and Station Wagons*	*Rate*
6. Cars 7. Jeeps 8. Land-Rovers 9. Pick-ups 10. Station Wagons	Rs. 20 per day
IV. *Motor Cycles*	*Rate*
11. Motor Cycles	Rs. 8 per day without side-car and Rs. 10 per day with side-car.
V. *Tractors with Trailors*	*Rate*
12. Tractors with trailors	Rs. 20 per day

B—*Motor Vehicles using Diesel Oil Fuel*

The rates of compensation payable for motor vehicles using Diesel Oil Fuel shall be 33⅓ per cent. higher than the rates applicable to the corresponding classes of vehicles specified in Part A of the Schedule.

[No. F. 17/1/66-UTL-87.]

K. R. PRABHU, Jt. Secy.

PRINTED IN INDIA BY THE GENERAL MANAGER, GOVERNMENT OF INDIA PRESS, NEW DELHI AND PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI, 1966